

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BENJAMIN GONZALES,

No. C 02-02279 JSW

Petitioner,

**ORDER VACATING HEARING  
DATE**

v.

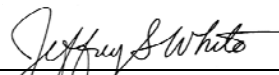
SHERIFF LEROY BACA, SECRETARY  
JAMES E. TILTON, and A.K. SCRIBNER,  
Warden,

Respondents.

Petitioner's motion to file first amended petition and Respondents' motion to dismiss the petition are currently set for hearing on Friday, February 2, 2007 at 9:00 a.m. This matter is now fully briefed and ripe for decision. The Court finds that the matter is appropriate for disposition without oral argument and the matter is deemed submitted. *See* N.D. Civ. L.R. 7-1(b). Accordingly, the hearing set for February 2, 2007 is HEREBY VACATED. An order resolving the motions shall follow.

**IT IS SO ORDERED.**

Dated: January 30, 2007

  
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JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE